

Message Text

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ACTION EUR-12

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FM AMEMBASSY BERN

TO SECSTATE WASHDC 3612

INFO AMEMBASSY THE HAGUE

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SUBJ: ARREST OF DUTCH ART COLLECTOR PIETER MENTEN IN SWITZERLAND
ON DEC 6

REF: THE HAGUE 6448

1. FOLLOWING IS SUMMARY OF SWISS PRESS REPORTS ON THE
ARREST OF DUTCH MILLIONAIRE ART COLLECTOR PIETER N MENTEN
IN ZURICH ON DEC 6, 1976 ON CHARGE OF SUSPECTED WAR CRIMES.

2. PIETER MENTEN, 77-YEAR OLD DUTCH NATIONAL, WAS ARRESTED
IN USTER, CANTON ZURICH, ON DEC 6 AT REQ OF DUTCH
POLICE, ON SUSPICION OF BEING RESPONSIBLE FOR DEATHS OF
HUNDREDS OF POLISH JEWS DURING SECOND WORLD WAR. FOLLOWING
HIS ARREST, MENTEN ATTEMPTED SUICIDE BY AN OVERDOSE OF
SLEEPING TABLETS. HE WAS BROUGHT TO NEARBY HOSPITAL AND IS NOT
IN CRITICAL CONDITION.

3. THE QUESTION OF MENTEN HAVING COMMITTED WAR CRIMES AROSE
IN 1950'S, ACCORDING TO SWISS PRESS. MENTEN SENTENCED AT
THAT TIME IN HOLLAND, HOWEVER, TO ONLY 8 MONTHS IN PRISON
ON CHARGE OF COLLABORATION WITH GERMAN OCCUPATION.
RECENT EXTENSIVE INVESTIGATION BY DUTCH WEEKLY "ACCENT."
AND BY ISRAELI JOURNALIST CHAVIV KANAAN, AND CANCELLATION
OF AUCTION OF SOME OF MENTEN'S ART COLLECTION AFTER IT WAS
PUBLICLY CHARGED THAT MANY OF ART WORKS WERE STOLEN
FROM POLISH JEWS DURING WORLD WAR II, FORCED DUTCH AUTHORITIES
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TO REOPEN CASE.

4. MENTEN WAS SCHEDULED BE ARRESTED IN AMSTERDAM ON NOV 15, 1976, BUT HE APPARENTLY GOT WIND OF HIS IMPENDING ARREST, FLED THE NETHERLANDS AND DISAPPEARED. ON MONDAY, DEC 6, DUTCH POLICE CONTACTED THE ZURICH CANTONAL POLICE AND INFORMED THEM THAT MENTEN, SOUGHT ON INTERNATIONAL "WANTED" LISTS, WAS STAYING AT HOTEL NEAR ZURICH WITH HIS WIFE. DUTCH ALSO INFORMED SWISS THAT 3 DUTCH POLICE OFFICERS AND EDITOR OF "ACCENT", HANS KNOOP, WOULD SOON BE ARRIVING IN ZURICH BY AIR.

5. AFTER ARRIVAL OF DUTCH IN ZURICH, AND AFTER ZURICH POLICE CHECKED WITH SWISS FEDERAL DIV OF POLICE IN BERN, BOTH SWISS AND DUTCH POLICE MADE THEIR WAY TO MENTEN'S HOTEL. MENTEN, WHO WAS CARRYING IRISH PASSPORT MADE OUT IN NAME "MINTON", ARRESTED SHORTLY AFTER 11 PM. PRESS ACCOUNTS STATE THAT HE TAKEN TO LOCAL POLICE STATION, WHERE HE REQUESTED PERMISSION TO GET A DRINK OF WATER. HE WAS DETECTED TAKING LARGE QUANTITY OF SLEEPING TABLETS AND TAKEN TO HOSPITAL. MENTEN IS EXPECTED TO BE RETURNED TO ZURICH JAIL WITHIN NEXT FEW DAYS.

6. FOLLOWING ARREST, DUTCH MINISTER OF JUSTICE ANDREAS VAN AGT TRAVELLED TO SWITZERLAND ON DEC 7 FOR DISCUSSIONS WITH SWISS MINISTER OF JUSTICE AND FEDERAL COUNCILLOR KURT FURGLER. VAN AGT TOLD FURGLER, ACCORDING TO THE "NEUE ZURCHER ZEITUNG," THAT NETHERLANDS CONSIDERS SPEEDY TURNOVER OF MENTEN OF HIGHEST INTEREST. BOTH MINISTERS OF JUSTICE ANNOUNCED AT PRESS CONFERENCE, PART OF WHICH TELEVISED BY SWISS TV, THAT NETHERLANDS HAS NOT FILED EXTRADITION REQUEST. FURGLER ADDED THAT, BECAUSE OF EXPIRATION OF STATUTE OF LIMITATIONS UNDER SWISS LAW (20 YEARS), NO EXTRADITION WOULD BE POSSIBLE; HOWEVER, QUESTION OF EXPELLING MENTEN FROM SWITZERLAND BEING CONSIDERED. FURGLER HAS REQUESTED VAN AGT PROVIDE COMPLETE DOCUMENTATION ON CASE TO PERMIT FEDERAL COUNCIL, SWITZERLAND'S HIGHEST GOVT BODY, MAKE DECISION.

7. FURGLER STATED THAT THE FEDERAL COUNCIL UNDER PRINCIPLE OF "GOUVERNER C'EST PREVOIR" DECIDED IN 1965 UNCLASSIFIED

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THAT EXPULSION AND TURNOVER OF INDIVIDUAL TO ANOTHER STATE, UNDER ARTICLES 70 AND 120 OF FEDERAL CONSTITUTION, WAS POSSIBLE IN CASE OF WAR CRIMES. THIS FIRST TIME FEDERAL COUNCIL DECISION OF 1965 MADE PUBLIC.

8. MENTEN WILL REMAIN IN SWITZERLAND UNTIL DOCUMENTATION TO BE PROVIDED HAS BEEN STUDIED AND A DECISION REACHED. DAVIS

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